

Message Text

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ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 AGR-20 CEA-02 CIAE-00 COME-00

DODE-00 EB-11 FRB-02 H-03 INR-10 INT-08 L-03 LAB-06

NSAE-00 NSC-10 PA-04 RSC-01 AID-20 CIEP-02 SS-20

STR-08 TAR-02 TRSE-00 USIA-15 PRS-01 SPC-03 OMB-01

NEA-10 EA-11 DRC-01 /214 W
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R 261825Z NOV 73

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 6074

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY BERN

AMEMBASSY HELSINKI

AMEMBASSY LISBON

AMEMBASSY OSLO

AMEMBASSY REYKJAVIK

AMEMBASSY STOCKHOLM

AMEMBASSY VIENNA

USMISSION GENEVA

OECD PARIS

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E.O. 11652: N/A

TAGS: ETRD, GATT, EEC, US

SUBJ: EC/EFTA RULES OF ORIGIN

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REF: EC BRUSSELS 6740

1. IN A DINNER CONVERSATION WITH ME ON NOVEMBER 23, COMMISSIONER GUNDELACH COMMENTED ON THE RULES OF ORIGIN WORKING PARTY PROBLEM (REFTEL). HE SAID THE FIRST EFFORT FAILED BECAUSE THE PROPOSED TERMS OF REFERENCE WERE TOO POLICY-ORIENTED. IN HIS VIEW, THE EC MEMBER STATES WOULD HAVE GONE ALONG WITH A GATT EFFORT TO CONDUCT A TECHNICAL AND ANALYTICAL STUDY OF RULES OF ORIGIN AS A GENERAL MATTER. GUNDELACH IMPLIED THAT THE WORKING PARTY MIGHT HAVE BEEN ABLE TO GET INTO POLICY QUESTIONS AT A LATER STAGE.

2. ASKED WHAT COULD BE DONE AT THIS POINT, GUNDELACH EXPRESSED THE PERSONAL OPINION THAT, AFTER A DECENT INTERVAL, IT STILL MIGHT BE POSSIBLE TO SET UP A WORKING PARTY ON RULES OF ORIGIN WITH SUITABLY LIMITED TERMS OF REFERENCE. HE RECOGNIZED THAT THE TECHNICAL AND HISTORICAL FORMULA MIGHT NOT MEET US OBJECTIVES.

3. COMMENT: DESPITE GUNDELACH'S MILDLY ENCOURAGING VIEWS, WE WISH TO POINT OUT THAT (A) THERE WOULD PROBABLY BE A SERIOUS PROBLEM IN BRINGING ALONG THE MEMBER STATES FOR REASONS EXPLAINED IN THE REFTEL; AND (B) GUNDELACH HAS MADE CLEAR THAT, EVEN IF THE WORKING PARTY IDEA COULD BE REVIVED, THIS WOULD REQUIRE SOME ADDITIONAL TIME. ACCORDINGLY, WE DO NOT BELIEVE THAT WASHINGTON SHOULD ABSTAIN FROM WHATEVER ACTION IT WISHES TO TAKE ON THE GENERAL ISSUE OF THE RULES OF ORIGIN IN CONNECTION WITH THE GATT EXAMINATION OF THE EC/NORWAY AGREEMENT. IT IS CLEAR THAT THE EXTERNAL RELATIONS PEOPLE (E.G. SOAMES' CHIEF OF CABINET) ARE CONSIDERABLY LESS SANGUINE THAN GUNDELACH ABOUT GETTING COMMUNITY AGREEMENT TO A GATT WORKING PARTY. GREENWALD

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